

## Message Text

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10

ORIGIN EA-10

INFO OCT-01 ISO-00 EB-07 OPIC-03 COME-00 SP-02 AID-05

NSC-05 CIEP-01 TRSE-00 SS-15 STR-01 OMB-01 CEA-01

INT-05 GSA-01 CU-02 EUR-12 PM-03 L-02 H-01 CIAE-00

DODE-00 INR-07 NSAE-00 PA-01 USIA-06 PRS-01 /093 R

DRAFTED BY EA/TB:JAKLEMSTINE:LRR

APPROVED BY EA/TB - GEORGE B. ROBERTS

EB/IFD/OIA - MR. BRODERICK

OPIC - MR. KREMISH

----- 021506

R 041830Z MAR 75

FM SECSTATE WASHDC

TO AMEMBASSY BANGKOK

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E.O. 11652: N/A

TAGS: EMIN, EINV, TH

SUBJECT: TEMCO CONTROVERSY

REF: A. BANGKOK 2441; B. STATE 024674

1. UNION CARBIDE OFFICIAL (GILLESPIE) INFORMED THE DEPARTMENT MARCH 4 THAT HE HAD BEEN ADVISED THROUGH HIS DUTCH PARTNER THAT THE SENI CABINET HAD RECENTLY MET WITH THE THAI PUBLIC PROSECUTOR AND HAD DECIDED TO REVOKE THE TEMCO CONCESSION. A FORMAL ANNOUNCEMENT WAS EXPECTED BEFORE THE MARCH 6 VOTE OF CONFIDENCE.

2. IF TRUE, THE QUESTION ARISES AS TO THE LEGALITY OF SUCH ACTION BEFORE THE GOVERNMENT IS CONFIRMED BY PARLIAMENT. IN ANY CASE, AS THE EMBASSY IS AWARE, THE EXPROPRIATION OF LIMITED OFFICIAL USE

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TEMCO WITHOUT CORRESPONDING STEPS IN DISCHARGING THAI

OBLIGATIONS UNDER INTERNATIONAL LAW, I.E. ADEQUATE COMPENSATION, COULD SERIOUSLY JEOPARDIZE THAILAND'S ELIGIBILITY FOR TRADE PREFERENCES AND WOULD TRIGGER SUBSTANTIAL CLAIMS UNDER THE OPIC INSURANCE CONTRACT. THIS ACTION WOULD ALSO BE AN UNFORTUNATE SETBACK IN OUR BILATERAL ECONOMIC RELATIONS. AS APPROPRIATE, THE EMBASSY SHOULD CONVEY THE ABOVE TO RESPONSIBLE THAI OFFICIALS.

3. PLEASE ADVISE THE STATUS OF THE TEMCO CASE AS THE SITUATION DEVELOPS. KISSINGER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DISPUTE SETTLEMENT, MINING CONCESSIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 04 MAR 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** CunninFX  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975STATE047979  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** JAKLEMSTINE:LRR  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750076-1191  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750383/aaaacxgq.tel  
**Line Count:** 71  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN EA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 BANGKOK 2441, 75 STATE 024674  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** CunninFX  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 24 JUL 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <24 JUL 2003 by BoyleJA>; APPROVED <20 NOV 2003 by CunninFX>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TEMCO CONTROVERSY  
**TAGS:** EMIN, EINV, TH, TEMCO  
**To:** BANGKOK  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006